Meeting of 2009-5-12 Regular Meeting

**MINUTES** 

LAWTON CITY COUNCIL REGULAR MEETING MAY 12, 2009 6:00 P.M. WAYNE GILLEY CITY HALL COUNCIL CHAMBER

Mayor John P. Purcell, Jr. Also Present: Presiding Larry Mitchell, City Manager

> Frank Jensen, City Attorney Traci Hushbeck, City Clerk

Mayor Purcell called the meeting to order at 6:03 p.m. Notice of meeting and agenda were posted on the City Hall notice board as required by law. Invocation was given by Reverend Don Howard, Holy Lutheran Church, followed by the Pledge of Allegiance.

ROLL CALL

PRESENT: Bill Shoemate, Ward One

Iames Hanna. Ward Two Janice Drewry, Ward Three Jay Burk, Ward Four (Arrived @ 6:19 p.m.) Robert Shanklin, Ward Five Richard Zarle, Ward Six Stanley Haywood, Ward Seven Doug Wells, Ward Eight

ABSENT: None

ROLL CALL

#### AUDIENCE PARTICIPATION:

Mike Underwood, 4634 Meadowbrook, stated he has been before the City Council several times regarding the drainage at his home. He stated in 1996 the City Council made some decisions that helped his neighborhood for about twelve years. They did not flood again until 2007. Two weeks ago they almost flooded again. He stated Councilmember Drewry has spoken with the City Manager and the Public Works Director and the City has plans that would alleviate the flooding in his neighborhood and he is requesting the City Council implement these plans in the near future.

Shoemate questioned if there has been a lot of construction going on in that area.

Mr. Underwood stated there has been construction to the north and west and that is what alleviated the problem for several years.

Shoemate stated if they widen the tributary, that will just flood the people from 17 th Street to the south. He is convinced that if there is construction in the neighborhoods, that will affect the flow of the water. He has had to use sump pumps around his home.

Drewry stated they have to get permission from those who own the property on the south side of the creek and once they get that, they can start widening. She feels that will alleviate a lot of the problem along with cleaning out some of the trees on the north side.

Mr. Underwood stated they have been calling the City for fourteen months regarding a tree that is down behind their house. He hopes someone will take a look at it and hopefully get it hauled away.

Shanklin questioned if it flooded from the street or the creek.

Mr. Underwood stated it mainly floods from the front.

Shanklin stated until they build another box or two, this will flood.

Eddie Smith, 1537 NW 31 st, stated when he puts his trash out he has to walk in water. His is the only house that collects standing water when it rains. He has been told by city staff for the last twelve years that we were going to do something about it. He stated Councilmember Shoemate and Commissioner Ron Kirby drive by his house every day and they can see the problem. A french drain will fix the problem. His is the only house on the street that has standing water and he needs some assistance.

Mayor Purcell stated the City Manager has the information and will look into the problem.

Dana Davis, President of Lawton-Fort Sill Chamber of Commerce, stated Friday, May 15 <sup>th</sup> will be the kick-off for the Armed Forces Day celebration with the parade beginning on Saturday at 10:00 a.m. with an all day celebration in Elmer Thomas Park. He thanked the City Council for their support for this celebration and also city staff for all their assistance.

CONSIDER APPROVAL OF MINUTES OF LAWTON CITY COUNCIL REGULAR MEETING OF APRIL 28, 2009.

MOVED by Hanna, SECOND by Drewry, to approve the minutes of April 28, 2009. AYE: Shanklin, Zarle, Haywood, Wells, Shoemate, Hanna, Drewry, Burk. NAY: None. MOTION CARRIED.

CONSENT AGENDA: The following items are considered to be routine by the City Council and will be enacted with one motion. Should discussion be desired on an item, that item will be removed from the Consent Agenda prior to action and considered separately.

Mayor Purcell stated they need to discuss item #5. Jensen requested items #2 and #16 and Wells requested item #12 be considered separately.

MOVED by Haywood, SECOND by Shoemate, to approve the Consent Agenda with the exception of items #2, #5, #12 and #16. AYE: Zarle, Haywood, Wells, Shoemate, Hanna, Drewry, Burk, Shanklin. NAY: None. MOTION CARRIED.

- 1. Consider the following damage claims recommended for approval and consider passage of the resolution authorizing the City Attorney to file a friendly suit for the claims which are over \$400.00: Ashley and Kristopher Lisowski in the reduced amount of \$72.00 and Brenda Waters in the reduced amount of \$772.01 (Res. 09-47). Exhibits: Legal Opinions/Recommendations and Resolution No. 09-
- 2. Consider the following damage claims recommended for denial: Rose and Robert Pierce in the amount of \$1,120.00 and Dolores and Maria Rodriguez in the amount of \$472.00. Exhibits: Legal Opinions/Recommendations.

Robert Pierce, 20 NW 59 <sup>th</sup> Street, stated that Councilmembers Shanklin and Wells are familiar with his claim regarding a fence that was removed by city crews. His fence line comes together with his neighbor, Mr. Harold Byrd, who had the same claim which was recently paid by the City Council. He stated his fence did not encroach on the easement where city crews were working.

Mayor Purcell clarified that the City Attorney s office recommended denial of Mr. Byrd s claim, but the City Council overruled that recommendation and paid the claim.

Shanklin stated that Mr. Pierce is not on the easement line and he questioned why we would tear the fence down. He feels that we owe this claim.

Kelea Fisher, Assistant City Attorney, stated her office is recommending denial based upon their investigation. They were told by the Sewer Rehab Division that both fences were located within the City s easement. According to City Council Policy 5-3, once a fence is removed from the city easement, the city will not pay to replace it. She stated they have photos that show the close proximity of the manhole to the fence.

Wells stated when you go to the manhole and look straight ahead to the next manhole up, there is a good three feet between the fence and where the line should run.

MOVED by Wells, SECOND by Shanklin, to adopt **Res. 09-48** approving the damage claim of Rose and Robert Pierce in the amount of \$1,120.00.

Haywood stated that the Rev. & Mrs. Pierce used to live on Bell and they were moved due to the 2 <sup>nd</sup> Street project.

Mr. Pierce stated the superintendent and the backhoe operator told Mr. Byrd that they made a wrong call in taking out both fences.

Britt Hubbard, Construction Inspector for Sewer Rehab, stated he went out in advance of the crews and looked at the fences and the location of the sewer line. From what he could see, those fences needed to come down. When they are that close, he always recommends that they come down because he does not know what kind of damage can be done to the fence. They do notify the homeowner in advance that the fence will be taken down.

Haywood guestioned when they moved into that home.

Mr. Pierce stated they moved into the home in July 2008.

Burk questioned if Mr. Pierce was told that the fence was in the easement when they bought the house.

Mr. Pierce stated that it looks as though their fence is not in the easement.

Burk questioned if the fence is in the easement.

Hubbard stated he believes so. The gas meter sits four or five feet inside the fence and there is also a telephone and electrical pedestal inside the fence.

Burk stated they need to decide what they are going to do policy wise. Either they are going to pay for all the fences they take down or they are going to enforce the policy with regards to structures in the easement. He stated they need to look at this policy. He does not dispute that this claim should probably be paid since they paid the claim of Mr. Byrd. They are putting city staff at a huge disadvantage.

Haywood stated it you ask, they will place the gas meter inside the fence.

Mayor Purcell stated at one time the City Council discussed this issue and that is why they have a policy now. They agreed that if the fence was in the easement and they had to take it down, we would not pay to put it back up. He stated that since exceptions seem to be coming up, maybe they need to look at the policy again. They need to be consistent.

Wells stated there are ten houses in that area with ten fences. There is one fence that sticks out about two feet further than all the others and he could understand why they took that one down. He stated they did not take down any other fence other than Mr. Byrd s and Mr. Pierce s, whose fences were back two or three feet. He feels they need to pay this because looking at the picture and where the manhole was, they did not need to take those fences down.

Shoemate suggested they look around their wards and maybe write letters to those who are in violation so that they can stop this.

Burk stated when you build in the easement you take that liability. He would like to see them investigate and look at this policy.

Jerry Ihler, Public Works Director, stated about five years ago, PSO, Arkla Gas and Southwestern Bell kept coming to the City Council requesting a policy regarding the clearing of easements because their people were getting injured when residents were building out on the easement or not maintaining their easement. He stated in the sewer rehab program, Phase I, the city spent \$1 million putting up fences that were in the easement and that was one of the reasons the policy was established.

Shanklin questioned if Mr. Ihler thought this fence was in the easement.

Ihler stated yes. This is an older house and if the gas meter was behind the fence, then the fence was in the easement.

Fisher stated when the City Attorney s office is reviewing the claims they are also looking at state law and state statutes regarding the government s liabilities with regard to tort claims. She stated you basically have to say that the workers were negligent. In this case they went out and gave the appropriate notice.

Mrs. Pierce stated she watched them take down this fence and it was not necessary and it was not in the way.

VOTE ON MOTION: AYE: Hanna, Burk, Shanklin, Zarle, Haywood, Wells. NAY: Shoemate, Drewry. MOTION CARRIED.

MOVED by Hanna, SECOND by Drewry, to deny the damage claim of Dolores and Maria Rodriguez in the amount of \$472.00. AYE: Hanna, Drewry, Burk, Shanklin, Zarle, Haywood, Wells, Shoemate. NAY: None. MOTION CARRIED.

- 3. Consider approving an Amendment to the Outside Water Sales Contract with Tower Road Water Association, and authorize the Mayor and City Clerk to execute the Contract. Exhibits: Amendment is on file in the City Clerk s Office.
- 4. Consider extending the lease term between Robert E. Greiner School for the Handicapped and the City of Lawton for the use of leased premises located at 10 SE B Avenue for the care and education of disabled persons. Exhibits: First Amendment to Lease Agreement is on file in the City Clerk's Office
- 5 Consider receiving a donation of \$3,000 from the Citizen's Police Academy Alumni Association (CPAAA) for the Lawton Police Department Dive Team. Exhibits: None.

Members of the CPAAA presented a check for \$3,000 to Chief Ronnie Smith, Lawton Police Department. Chief Smith thanked them for all their hard work.

Mayor Purcell thanked the association for all their efforts

MOVED by Drewry, SECOND by Burk, to accept a donation of \$3,000 from the Citizen's Police Academy Alumni Association (CPAAA) for the Lawton Police Department Dive Team. AYE: Drewry, Burk, Shanklin, Zarle, Haywood, Wells, Shoemate, Hanna. NAY: None. MOTION CARRIED.

Mayor Purcell stated item #31 has been stricken from the agenda at the request of Councilmember Burk, who initiated the item.

- 6. Consider approving the proposed Cooperative Program and Memorandum Agreement between the Oklahoma Water Resources Board, the U.S. Geological Survey and the City of Lawton and authorizing the Mayor and City Clerk to execute the agreement. Exhibits: Proposed Cooperative Program and Memorandum Agreement (on file with the City Clerk).
- 7. Consider acknowledging receipt of a permit for the construction of a water line and appurtenances from the Oklahoma Department of Environmental Quality to serve the 2008 CIP W/L Replacement (1) Project #2008-12, City of Lawton, Comanche County, Oklahoma. Exhibits: Permit to Construct dated March 26, 2009 is on file in the City Clerk's office.
- 8. Consider acknowledging receipt of a permit for the construction of a sewer line and appurtenances from the Oklahoma Department of Environmental Quality to serve the NW 67 <sup>th</sup> Street Reconstruction (Cache/Rogers Lane) Project #2003-7, City of Lawton, Comanche County, Oklahoma. Exhibits: Permit to Construct dated April 16, 2009 is on file in the City Clerk's office.
- 9. Consider authorizing staff to receive engineering proposals for the design of the Santa Fe Bridge Replacement Project #2010-2 and providing a funding source. Exhibits: None.
- 10. Consider adopting a Resolution authorizing the installation of traffic control measures on NW Ferris Avenue just east of NW Sheridan Rd in front of Walgreens; West side of NW 2 <sup>nd</sup> Street from NW Cache Rd to NW Ferris Avenue and on the north side of NW Cache Rd in front of Lake Helen; NW Kingsbury Drive at the intersection of NW Keystone Drive; NW Fort Sill Blvd between NW Ferris Avenue and NW Cache Rd. Exhibits: Traffic Commission Minutes, Traffic Issue Requests, and **Resolution No. 09-49**.
- 11. Consider denying the requests for traffic control measures on: NW Cache Rd at the intersection of NW 75 <sup>th</sup> Street; SW Texas Avenue at the intersection of SW Jesse L. Davenport (formerly SW 15<sup>th</sup> Street). Exhibits: Traffic Commission Minutes and Traffic Issue Requests.
- 12. Consider adopting Street Light Resolution No. 460 to authorize the removal of street lights at the location list in the Resolution. Exhibits: Street Light Resolution No. 460.

Wells questioned how much it will cost to remove the old lights and put in new ones.

Ihler stated he would have to look at the 2 <sup>nd</sup> Street contract. He stated the 25 lights will be removed as part of the construction contract. He will have to get back with Councilmember Wells. He stated the lights they are removing are not metered and they pay an agreed upon amount for all of the lighting and as they add lights they are charged \$2.35 a month. He stated this will reduce the budget by \$156.00. There is no additional cost, it has already been bid as part of the construction contract.

Tim Hushbeck, AEP/PSO, stated that AEP/PSO cannot go out and arbitrarily remove or add lights because the city does pay for each light and that is why they require a resolution each time they add or remove lights.

MOVED by Wells, SECOND by Haywood, to adopt Street Light Resolution No. 460 to authorize the removal of street

lights at the location list in the Resolution. AYE: Burk, Shanklin, Zarle, Haywood, Wells, Shoemate, Hanna, Drewry. NAY: None. MOTION CARRIED.

- 13. Consider acknowledging receipt of a Tier I permit from the Oklahoma Department of Environmental Quality for the construction of 2,769 linear feet of 8-inch PVC water line and 430 linear feet of 8-inch PVC sanitary sewer line and 40 feet of 8-inch DIP sanitary sewer line and all appurtenances to serve Stonegate Skilled Nursing Facility located at 7502 Quanah Parker Trailway in the SW/4 of Section 20, T2N, R12W, I.M., Comanche County, Oklahoma. Exhibits: Permits to Construct on file in the City Clerk's Office.
- 14. Consider approving the construction plans for a left turn lane for the Cache Road Shopping Center located in the 4000 block of NW Cache Road. Exhibits: Location Map.
- 15. Consider approving construction plans for a sewer line to serve the proposed Buffalo Bob s RV Park located at 1420 SE Tower Road. Exhibits: Location Map.
- 16. Consider approving the construction plat for Green Terraces West Townhouse Addition, Part 2, subject to conditions. Exhibits: Plat Map.

Jensen stated that Councilmember Burk is not able to vote on this item.

MOVED by Wells, SECOND by Shoemate, to approve the construction plat for Green Terraces West Townhouse Addition, Part 2, subject to conditions. AYE: Shanklin, Zarle, Wells, Shoemate, Hanna, Drewry. NAY: None. ABSTAIN: Burk. ABSENT: Haywood. MOTION CARRIED.

- 17. Consider extending the contract (CL08-058) Rock Hauling with Atlas Tuck Concrete of Duncan, OK. Exhibits: Department Recommendation, Price Sheet, Contract Extension Form.
- 18. Consider extending the contract (CL08-068) Manhole Lining Materials with The Strong Company Inc. of Pine Bluff, AR. Exhibits: Department Recommendation, Price Sheet, Contract Extension Form.
- 19. Consider extending the contract (RFPCL08-007) City Employee Accidental Death Insurance with International Insurance Brokers, LTD. of Tulsa, OK. Exhibits: Department Recommendation, Proposal Price Sheet, Contract Extension Form.
- 20. Consider rejecting bids for (CL09-029) Bunker/Turnout Gear. Exhibits: Department Recommendation Memo, abstract of bids.
- 21. Consider rejecting proposals for (RFPCL09-044) Employee Physicals/Drug Screen Testing. Exhibits: Department Recommendation Memo, abstract of bids
- 22. Consider awarding (CL09-036) Library Book Contract Items: 1- 9, 11 12, 14 15, 17- 27 & 31 33 to Baker & Taylor of Charlotte, NC. Exhibits: department recommendation, abstract of bids.
- 23. Consider awarding (CL09-036) Library Book Contract Items: 1-3, 6-7, 11, 14-18, 22-26, 28 & 31-33 to Davidson Titles, Inc. of Jackson, TN. Exhibits: department recommendation, abstract of bids.
- 24. Consider awarding (CL09-036) Library Book Contract Items: 3, 6, 15, 21, 23, 24, 31, 32 & 34 to Infobase Publishing (Facts on File/Chelsea House) of New York, NY. Exhibits: department recommendation, abstract of bids.
- 25. Consider awarding (CL09-036) Library Book Contract Items: 26, 31 & 33 to Recorded Books, LLC of Prince Frederick, MD. Exhibits: department recommendation, abstract of bids.
- 26. Consider awarding (CL09-036) Library Book Contract Items: 15 to H.W. Wilson Company of Bronx, NY. Exhibits: department recommendation, abstract of bids.
- 27. Consider approving appointments to boards and commissions. Exhibits: None.

# <u>Library Board</u>

James Burpo Lynn McIntosh 403 NW Chimney Creek 634 NW Waterford Drive Lawton Oklahoma 73505 Lawton Oklahoma 73505 05/31/11 05/31/11 816 NW Ferris Avenue Lawton Oklahoma 73501 05/31/11

# **Airport Authority**

Steve Gilkeson 4214 SW Lee Blvd. Lawton, Oklahoma 73505 12/31/10

28. Consider approval of payroll for the period of April 20 May 3, 2009.

### **OLD BUSINESS ITEMS:**

29. Consider approving an Ordinance pertaining to Business amending Section 7-1-1-109, Division 7-1-1, Article 7-1, Chapter 7, Lawton City Code, 2005, by providing for a late fee in addition to a new license fee when a business is operating on an expired license, providing for severability, and establishing an effective date; and consider approving a Resolution amending Appendix A, Schedule of Fees and Charges, Lawton City Code, 2005, adding a late fee for expired business licenses. Exhibits: Ordinance No. 09-\_\_\_\_, Resolution No. 09-\_\_\_\_ and listing of city licenses required as per City Code to be issued by the License and Permit Division.

Bryan Long, Assistant City Attorney, stated a questioned was raised at the last meeting and this item was tabled. The question was what licenses were they talking about. He stated we do not have a general business license. We limit our ability to collect revenues for licenses on certain activities and business ventures. A list of those licenses were included in the agenda packet. He stated there was also a question as to whether we send out expiration notices for licenses and we do. He stated if you have a trade license which is covered under chapter 6, you are not required to have a general business license.

Burk stated they are kind of being nitpicky on this list. They have excluded a lot of businesses.

Long stated that these businesses either involve children, alcohol or food. He is used to seeing a general business license for any business within the corporate limits of our city.

Shanklin questioned how often someone violates this.

Long stated we do not have enough staff to actively seek out every violation.

Shanklin questioned what prompted this.

Long stated staff is sending out renewals and we are not getting a response from businesses that are known to be in violation.

Burk stated he would like to see what other cities are doing. He feels it is not fair to pick out a handful of businesses that have to have these licenses.

Mayor Purcell stated this ordinance just deals with a late fee if you don t renew.

Wells stated he agrees that a committee should be formed to figure out what we should be doing. He would also like to see us be able to close a business down until they get their license up to date.

Zarle questioned why we would do this if it costs us more to collect.

Long stated there are certain inspections that have to occur as a result of the application for these permits that protect the safety and welfare of the public. This is a public safety issue.

Jensen stated these licenses are not supposed to be a revenue making measure, they are supposed to pay for the staff time it takes to check out safety issues.

MOVED by Wells, SECOND by Hanna, to adopt **Ordinance 09-19**, waive the reading of the ordinance, read the title only, and establish an effective date of June 1, 2009 and adopt **Resolution 09-50** amending Appendix A, Schedule of Fees and Charges, Lawton City Code, 2005, adding a late fee for expired business licenses. AYE: Zarle, Haywood, Wells, Shoemate, Hanna, Drewry, Burk. NAY: Shanklin. MOTION CARRIED

(Title read by City Attorney)

Ordinance 09-19

An ordinance pertaining to business amending Section 7-1-1-109, Division 7-1-1, Article 7-1, Chapter 7, Lawton City

Code, 2005, by providing for a late fee in addition to a new license fee when a business is operating on an expired license, providing for severability, and establishing an effective date of June 1, 2009.

Mayor Purcell questioned who would like to sit on a committee to look into this issue and make some recommendations. He stated the City Attorney will also need to be involved.

Councilmembers Burk, Shoemate and Wells volunteered.

Mitchell stated that staff can conduct some surveys and gather some information before the committee meets.

#### NEW BUSINESS ITEMS:

30. Consider approving and implementing the Neighborhood Traffic Management and Calming Program. Exhibits: Copies of the proposed Neighborhood Traffic Management and Calming Program is on file in the Public Works Administration Office.

Ihler stated at the April 14 <sup>th</sup> meeting he handed out a copy of the Neighborhood Traffic Calming program that the Traffic Commission had spent several months looking over and establishing the program. He stated he has not received any comments or questions from the Council. Basically the program establishes some criteria with regards to physical barriers to slow down traffic in residential neighborhoods and key areas. He is talking about speed tables, which are 22-foot long versus the speed humps. The Traffic Commission provided some qualifying criteria for streets that would be eligible. He stated what brought this program forward was a request by a previous councilmember for an area on Atterbury Drive which would not qualify for a speed table. He stated this is formulated around a program in Norman. Staff is recommending approval.

MOVED by Burk, SECOND by Drewry, to approve and implement the Neighborhood Traffic Management and Calming Program.

Wells stated he feels this is not a good program to implement in Lawton due to the amount of staff time and cost of the program plus the possible cost for claims that will be filed against the City for damage to vehicles.

<u>SUBSTITUTE MOTION by Wells, SECOND by Hanna</u>, to not approve the implementation of the Neighborhood Traffic Management and Calming Program.

Drewry stated if someone damages their car then they must be speeding.

Wells stated at 25 mph someone could do some damage.

Shoemate stated he has received some phone calls from residents who would rather fill potholes with the money rather than put in speed tables.

Burk stated he has a traffic problem on Kingsbriar and he does not know how they will stop the problem. It has always been a policy that we not use stop signs to regulate traffic flow in residential areas. This has helped the City of Norman with some problem areas. He believes that Kingsbriar would be one of the first streets we could look at.

Ihler stated if someone requests this for a certain neighborhood, staff will have to go out and do a traffic study. They will try pre-calming effects before they do a physical barrier. Speed tables are not the only traffic control calming effect.

Wells suggested they request that the Police Chief issue some tickets and generate some revenue instead of adopting this program. He feels this is more of a traffic enforcement issue.

Zarle stated that back in the early 1990 s they stopped installing speed bumps because of emergency vehicles.

Ihler stated that speed tables are an effective speed reduction and it can stop the shift of cut through traffic. It does affect emergency vehicle response time. They will probably lose between 2-10 seconds on their response time.

Burk stated they need to protect our children. He questioned what other options they had other than hiring new police officers.

Mayor Purcell stated as soon as a child is hurt on one of these streets, the City Council will turn around and implement this program.

VOTE ON THE SUBSTITUTE MOTION: AYE: Hanna, Shanklin, Zarle, Haywood, Wells, Shoemate. NAY: Drewry,

Burk. MOTION CARRIED.

Wells suggested that the City Manager and the Police Chief get together and discuss some ways that more enforcement could be done in these neighborhoods.

31. Consider adopting a resolution establishing annual fund allocations of all future hotel/motel tax collections and authorizing the Mayor and City Clerk to execute the resolution. Exhibits: Resolution 09-\_\_\_ and Hotel/Motel Tax Collection History.

### THIS ITEM WAS STRICKEN

REPORTS: MAYOR/CITY COUNCIL/CITY MANAGER

Shoemate thanked Dr. Bellino and all of those who worked at the Lawton Beautiful booth at Arts for All.

Wells stated most cities in Oklahoma are not raising their water rates. He distributed some articles regarding this issue.

Haywood thanked the Lawton Fire Department for painting the fire hydrants.

The Mayor and Council convened in executive session at 7:22 p.m. and reconvened in regular, open session at 8:13 p.m. Roll call reflected all members present.

BUSINESS ITEMS: EXECUTIVE SESSION ITEMS

32. Pursuant to Section 307B.3, Title 25, Oklahoma Statutes, consider convening in executive session to discuss possible acquisition of property adjacent to the City of Lawton landfill and providing direction to staff as appropriate. Exhibits: None.

Jensen read the title of item 32. No action is required.

33. Pursuant to Section 307B.2, Title 25, Oklahoma Statutes, consider convening in executive session to discuss negotiations for a Collective Bargaining Agreement for FY 2009-2010 between the City of Lawton and IUPA Local 24, and if necessary, take appropriate action in open session. Exhibits: None.

Jensen read the title of item 33. No action is required.

34. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the pending case of City of Lawton vs. Bob L. Mansell, et. al, CJ-2007-822, and if necessary, take appropriate action in open session. Exhibits: None.

Jensen read the title of item 34. No action is required.

## ADDENDUM:

1. Pursuant to Section 307B.1, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the employment of Michael Corrales as Municipal Judge. Exhibits: None.

Jensen read the title of the addendum. No action is required.

There being no further business to consider, the meeting adjourned at 8:15 p.m. upon motion, second and roll call vote.

<u>/s/ John P. Purcell, Jr.</u>
JOHN P. PURCELL, JR., MAYOR
ATTEST:
<u>/s/ Traci Hushbeck</u>
TRACI HUSHBECK, CITY CLERK